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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,658	08/06/2001	Mark A. Kirkpatrick	BS00-311	8202
28970	7590	10/27/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN LLP			HAILU, TADESSE	
1650 TYSONS BOULEVARD			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

2173

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,658

Applicant(s)

KIRKPATRICK ET AL.

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-11 and 13-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-11 and 13-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the Amendment submitted and entered on August 15, 2005 for the application number 09/921,658.
2. The pending claims 1-7, 9-11, and 13 through 35 are examined as follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-7, 9-11, 13-17, and 19-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa et al (US Pat No 6,061,516) in view of IBM Technical Disclosure Bulletin, "Screen Design Facility," July 1977.

With regard to claim 1:

Yoshikawa relates to and discloses an online application processing system and method for performing application processing by gaining access to a host computer (also called a general-purpose or mainframe computer) via communication means. (Col. 1, lines 5-14).

Yoshikawa discloses identifying a plurality of legacy computer system screen fields of an application, each screen field of the plurality of screen fields associated with at least one unit of data (Fig. 27, column 18, lines 60-67, column 19, lines 1-18);

Yoshikawa discloses determining for each screen field a screen field identifier (e.g., Screen Name, Field Name, Fig. 27), and one or more screen field location identifiers (e.g., Field Row, Field column and Field Length, Fig. 27).

Yoshikawa further discloses that prior to accessing a screen containing the screen fields (column 3, lines 50-57, column 14, lines 52-64), storing (see Fig. 13, column 13, lines 6-9, 46-61) in a *screen definition information* (or configuration file) the screen field identifier (e.g., Screen Name, Field Name, Fig. 27), and the one or more screen field location identifiers (e.g., Field Row, Field column and Field Length, Fig. 27) for each screen field of the plurality of screen fields.

Yoshikawa further discloses obtaining the unit of data (see Figs. 7, 13 or 27) for one or more of the screen fields of the screen by finding the location (Row, Column fields) of the screen fields for the screen by the screen field location identifiers of the stored *screen definition information* (or configuration file) (column 13, lines 6-61).

While Yoshikawa's screen definition information ("configuration file") comprises several location identifiers including row, column and length field identifiers, but a screen number field identifier is not shown. IBM discloses screen design facility, wherein IBM discloses several screen fields at least including a screen field identifier, a unique sequential screen Id (IBM, see the first page).

Yoshikawa and IBM are analogous art because they are from the same field of endeavor, interacting with legacy system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the unique screen id of IBM with location identifiers of Yoshikawa.

The suggestion /motivation for doing so would have been to allow the operator access to a particular screen in the event that multiple screens are created with same screen name (IBM, see the first page).

Therefore, it would have been obvious to combine Yoshikawa with IBM to obtain the invention as specified in claim 1.

With regard to claim 2:

Yoshikawa further discloses determining that a screen field location identifier for a relocated screen field has changed (column 17, lines 52-55, column 27, lines 24-49).

Yoshikawa further discloses determining an updated screen field location identifier for the relocated screen field (column 27, lines 24-49).

Yoshikawa further discloses storing in the configuration file the updated screen field location identifier for the relocated screen field (column 17, lines 52-55, column 27, lines 24-49).

With regard to claim 3:

Yoshikawa relates to and discloses an online application processing system and method for performing application processing by gaining access to a host computer (also called a general-purpose or mainframe computer) via communication means. (Col. 1, lines 5-14).

Yoshikawa discloses that prior to accessing a screen containing screen fields, accessing a screen field *screen definition information* (or configuration file) for a legacy computer system, the screen field configuration file storing screen field information (column 3, lines 50-57, column 14, lines 52-64).

Yoshikawa further discloses identifying one or more screen fields, each identified screen field having a screen field identifier and one or more screen field location identifiers stored in the configuration file (Fig. 27).

Yoshikawa further discloses creating one or more screen field objects (Figs. 27) each screen field object corresponding to an identified screen field (Fig. 27, column 28, lines 7-21).

Yoshikawa further discloses obtaining data of a screen by referencing the one or more screen field objects to find the screen fields corresponding to the data (Fig. 8, Fig. 3, Fig. 7, or 27, column 10, lines 4-16, column 10, lines 63-column 11, lines 13).

While Yoshikawa's screen definition information ("configuration file") comprises several location identifiers including row, column and length field identifiers, but a screen number field identifier is not shown. IBM discloses screen design facility, wherein IBM discloses several screen fields at least including a screen field identifier, a unique sequential screen Id (IBM, see the first page).

Yoshikawa and IBM are analogous art because they are from the same field of endeavor, interacting with legacy system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the unique screen id of IBM with location identifiers of Yoshikawa.

The suggestion /motivation for doing so would have been to allow the operator access to a particular screen in the event that multiple screens are created with same screen name (IBM, see the first page).

Therefore, it would have been obvious to combine Yoshikawa with IBM to obtain the invention as specified in claim 3.

With regard to claim 4:

Yoshikawa further discloses that the screen field object includes screen field identifier information (see Fig. 27).

With regard to claim 5:

Yoshikawa further discloses that the screen field identifier information includes a screen field identifier and one or more screen field location identifiers (Fig. 27).

With regard to claim 6:

Yoshikawa further discloses that the screen field identifier includes a screen field name identifier (Fig. 27).

With regard to claim 7:

Yoshikawa further discloses that the screen field identifier includes a screen name identifier and a screen field name identifier (Fig. 27).

With regard to claim 9:

Yoshikawa further discloses that the one or more screen location identifiers include a screen field horizontal position identifier (Fig. 27).

With regard to claim 10:

Yoshikawa further discloses that the one or more screen location identifiers include a screen field vertical position identifier (Fig. 27).

With regard to claim 11:

Yoshikawa further discloses that one or more screen location identifiers include a screen field length identifier (Fig. 27).

With regard to claim 13:

Yoshikawa discloses a system for accessing data via a legacy computer (Fig. 1).

Yoshikawa discloses a legacy computer system (Fig. 1, #1 or Fig. 2) to display at least one unit of data in a screen field of a screen provided within a display of a terminal (Fig. 2, #14, column 8, and lines 49-60).

Yoshikawa further discloses an application (Fig. 1, #40) to access the at least one unit of data, the at least one unit of data associated with the screen field (column 3, lines 12-19, 39-49, column 6, lines 47-58);

Yoshikawa further discloses screen definition information ("a configuration file") (fig. 1, #6), the configuration file to store a screen field identifier and one or more screen location identifiers associated with the screen field (column 6, lines 27-46, column 7, lines 65-67), wherein the screen definition information ("configuration file") is generated in advance of and prior to analysis of the screen provided within the display (column 3, lines 50-57).

While Yoshikawa's screen definition information ("configuration file") comprises several location identifiers including row, column and length field identifiers, but a screen number field identifier is not shown. IBM discloses screen design facility, wherein IBM discloses several screen fields at least including a screen field identifier, a unique sequential screen Id (IBM, see the first page).

Yoshikawa and IBM are analogous art because they are from the same field of endeavor, interacting with legacy system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the unique screen id of IBM with location identifiers of Yoshikawa.

The suggestion /motivation for doing so would have been to allow the operator access to a particular screen in the event that multiple screens are created with same screen name (IBM, see the first page).

Therefore, it would have been obvious to combine Yoshikawa with IBM to obtain the invention as specified in claim 13.

With regard to claim 14:

Yoshikawa further discloses a screen field object (Fig. 7 or 27), the screen field object corresponding to the screen field (column 6, lines 27-46, Fig. 7 or 27).

With regard to claim 15:

Yoshikawa further discloses that the application (Fig. 1, #40) accesses the screen definition information ("configuration file") to generate a screen field object, the

screen field object corresponding to the screen field (column 6, lines 47-column 7, lines 18).

With regard to claim 16:

Yoshikawa discloses a host terminal 14 (Fig. 2), wherein the host terminal includes only keyboard and screen with no processing capability (no microprocessor), that is, it is a dumb terminal (column 5, lines 50-52, column 8, lines 49-60)

With regard to claim 17:

Yoshikawa further discloses that the terminal (Fig. 2, #14) displays data in a plurality of screen fields (Fig. 3, column 8, lines 64-column 9, lines 19, column 25, lines 62-column 26, lines 9).

With regard to claim 19:

Yoshikawa further discloses that each screen field of the plurality of screen fields has an associated screen field identifier and one or more screen field location identifiers (Fig. 27).

With regard to claim 20:

Yoshikawa further discloses that each screen field of the plurality of screen fields has an associated screen field position, the associated screen field position including a row position and a column position (Fig. 27).

With regard to claim 21:

Yoshikawa further discloses that the screen field identifier includes a screen field name (Fig. 27).

With regard to claim 22:

Yoshikawa further discloses that the screen field identifier includes a screen name and a screen field name (Fig. 27).

With regard to claim 23:

Yoshikawa further discloses that the one or more screen field location identifiers include a screen row identifier and a screen column identifier (Fig. 27).

With regard to claim 24:

Yoshikawa relates to and discloses an online application processing system and method for performing application processing by gaining access to a host computer (also called a general-purpose or mainframe computer) via communication means. (Col. 1, lines 5-14).

Yoshikawa further discloses a step for identifying a screen field of an application, the screen field associated with at least a unit of data contained in a screen (Fig. 27, column 18, lines 60-67, column 19, lines 1-18).

Yoshikawa further discloses a step for determining a screen field identifier and a screen field location identifier for the screen field (Fig. 27, column 19, lines 51-column 20, lines 8).

Yoshikawa further discloses a step for storing (see Fig. 13, column 13, lines 6-9, 46-61) in a configuration file prior to analyzing the screen the screen field identifier and the one or more screen field location identifiers for the screen field (column 3, lines 50-57, column 14, lines 52-64), storing (see Fig. 13, column 13, lines 6-9, 46-61).

Yoshikawa further discloses a step for obtaining the unit of data from the screen field of the screen by referencing the screen definition information (6) ("configuration file") (Fig. 27, column 13, lines 6-61).

While Yoshikawa's screen definition information ("configuration file") comprises several location identifiers including row, column and length field identifiers, but a screen number field identifier is not shown. IBM discloses screen design facility, wherein IBM discloses several screen fields at least including a screen field identifier, a unique sequential screen Id (IBM, see the first page).

Yoshikawa and IBM are analogous art because they are from the same field of endeavor, interacting with legacy system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the unique screen id of IBM with location identifiers of Yoshikawa.

The suggestion /motivation for doing so would have been to allow the operator access to a particular screen in the event that multiple screens are created with same screen name (IBM, see the first page).

Therefore, it would have been obvious to combine Yoshikawa with IBM to obtain the invention as specified in claim 24.

With regard to claim 25:

Yoshikawa further discloses a step for determining that a screen field location identifier of the one or more screen field location identifiers for the screen field has changed (column 17, lines 52-55, column 27, lines 24-49).

Yoshikawa further discloses a step for determining an updated screen field location identifier for the screen field (column 27, lines 24-49).

Yoshikawa further discloses a step for storing in the configuration file the updated screen field location identifier for the screen field (column 17, lines 52-55, column 27, lines 24-49).

With regard to claim 26:

Yoshikawa relates to and discloses an online application processing system and method for performing application processing by gaining access to a host computer (also called a general-purpose or mainframe computer) via communication means. (Col. 1, lines 5-14).

Yoshikawa discloses a step for accessing a screen field configuration file for a legacy computer system, the screen field configuration file storing screen field information (column 14, lines 52-64). Yoshikawa further discloses that the screen fields screen definition information ("configuration file") existing in advance of a screen field containing screen fields corresponding to the screen field information (column 3, lines 50-57, column 14, lines 52-64).

Yoshikawa further discloses a step for identifying one or more screen fields, each identified screen field having a screen field identifier and one or more screen field location identifiers stored in the configuration file (Fig. 27, column 19, lines 51-column 20, lines 9).

Yoshikawa further discloses a step for creating one or more screen field objects, each screen field object corresponding to an identified screen field (Fig. 27, column 28, lines 7-21).

Yoshikawa further discloses a step for obtaining data from the screen field of the screen by referencing the screen field objects (Fig. 8, column 10, lines 4-16, column 10, lines 63-column 11, lines 13).

While Yoshikawa's screen definition information ("configuration file") comprises several location identifiers including row, column and length field identifiers, but a screen number field identifier is not shown. IBM discloses screen design facility, wherein IBM discloses several screen fields at least including a screen field identifier, a unique sequential screen Id (IBM, see the first page).

Yoshikawa and IBM are analogous art because they are from the same field of endeavor, interacting with legacy system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the unique screen id of IBM with location identifiers of Yoshikawa.

The suggestion /motivation for doing so would have been to allow the operator access to a particular screen in the event that multiple screens are created with same screen name (IBM, see the first page).

Therefore, it would have been obvious to combine Yoshikawa with IBM to obtain the invention as specified in claim 26.

With regard to claim 27:

Yoshikawa further discloses that the screen field identifier includes a screen field name identifier (Fig. 27).

With regard to claim 28:

Yoshikawa further discloses that the one or more screen location identifiers include a screen field horizontal position identifier and a screen field vertical position identifier (Fig. 27).

With regard to claim 29:

Yoshikawa further discloses a step for executing an application (GUI application 40), the application to interface with a terminal (14) of a legacy computer system (1) (column 6, lines 47-column 7, lines 17).

Yoshikawa further discloses a step for accessing at least a unit of data associated with the one or more screen fields by referencing the one or more screen field objects (column 6, lines 47-58, column 8, lines 4-18).

With regard to claim 30:

Independent claim 30 corresponds generally to independent claim 26 and recites similar features in System form, and therefore is rejected under the same rationale.

With regard to claim 31:

Yoshikawa further discloses that the screen field identifier includes a screen name identifier and a screen field name identifier (Fig. 27).

With regard to claim 32:

Yoshikawa further discloses that the one or more screen location identifiers include a screen field horizontal position identifier and a screen field vertical position identifier (Fig. 27).

With regard to claim 33:

Independent claim 33 corresponds generally to independent claim 26 and recites similar features in Computer-readable medium form, and therefore is rejected under the same rationale.

With regard to claim 34:

Yoshikawa further discloses that the screen field identifier includes a screen name identifier and a screen field name identifier (Fig. 27).

With regard to claim 35:

Yoshikawa further discloses that the one or more screen location identifiers include a screen field horizontal position identifier and a screen field vertical position identifier (Fig. 27).

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa et al (US Pat No 6,061,516) in view of Janay et al (US Pat No. 5,530,961).

With regard to claim 18:

Yoshikawa discloses a host terminal 14 (Fig. 2), wherein the host terminal includes keyboard and screen with no processing power (microprocessor), that is, a dumb terminal, but it is not clearly described as a 3270 terminal. Janay describes a 3270 terminal (column 1, lines 34-36).

Yoshikawa and Janay are analogous art because they are from the same field of endeavor, interacting with legacy system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to substitute the host terminal (14) which is a dumb terminal for 3270 terminal because after all one skilled in the computer art knows that 3270 terminal is also a dumb terminal.

Therefore, it would have been obvious to combine Yoshikawa with Janay to obtain the invention as specified in claim 18.

Response to Arguments

5. Applicant's arguments filed August 15, 2005 have been fully considered but they are not persuasive. The applicant argues that Yoshikwa offers no implied teaching, suggestion or motivation to use a screen number in conjunction with identifying, determining or storing each screen field." The applicant further argues "... it is also true IBM offers no implied teaching, suggestion or motivation to utilize a screen number other than to prevent human error." And the applicant concludes "Because the cited combination of Yoshikawa and IBM fails due to the lack of motivation to modify Yoshikawa based on IBM, the claims are allowable over the cited combination for at least these reasons. Accordingly, for at least these reasons, amended claims 1, 3, 13, 24, 26, 30 and 33 are allowable over any potential combination of Yoshikawa in view of IBM. The Examiner disagrees because the combination of Yoshikawa in view of IBM teaches the amended claims as recited in the current invention. Regarding the motivation argument, although Yoshikawa is silent about teaching a reason why a

screen number is necessary, the IBM reference, however, describes a motivation to combine, that is, IBM suggests the screen ID identifies a screen, and accessing a particular screen by its screen name or identifier. Furthermore, the assigning of a unique sequential ID to a screen allow the operator access to a particular screen without worrying for a multiple screen names (IBM, see the first page).

CONCLUSION

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

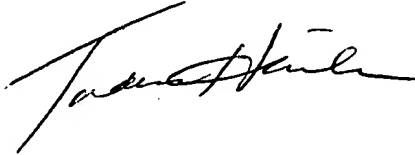
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 273-4051. The Examiner can normally be reached on M-F from 10:00 - 630 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 273-4048 Art Unit 2173.

Art Unit: 2173

8. An inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu
Patent Examiner
Art Unit 2173

A handwritten signature in black ink, appearing to read 'Tadesse Hailu', written in a cursive style.

10/25/05